

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**Confirmation No.: 5531**

Shingo FUKUI

Date: July 31, 2008

Serial No.: 10/767,780

Group Art Unit: 2163

Filed: January 28, 2004

Examiner: Patrick A. DARNO

For: FILE SYSTEM FOR MANAGING FILES IN TREE STRUCTURE  
ALLOWING USERS TO READILY KNOW AVAILABILITY CONDITION

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**VIA EFS-WEB**

Mail Stop BPAI

Commissioner for Patent

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 5, 2008 of the Primary Examiner rejecting claims 1-37.

The Appeal Fee (**\$510 - Non-Small Entity**; ~~\$255 - Small Entity~~) is

- ☒ Submitted via EFS-WEB
- ☐ Not required (fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
EFS FILING SYSTEM  
ON JULY 31, 2008



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